COMMISSION DECISION

of 3 February 1981

authorizing Ireland not to apply Community treatment to women's, girls' and infants' woven bathrobes, dressing gowns, bed jackets and similar indoor wear and outer garments originating in Hong Kong

(Only the English text is authentic)

(81/97/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State [1], and in particular Article 3 thereof,

Whereas on 26 January 1981 a request was made, under the first paragraph of Article 115 of the Treaty, by the Irish Government to the Commission of the European Communities for authorization not to apply Community treatment to women's, girls' and infants' woven bathrobes, dressing gowns, bed jackets and similar indoor wear and outer garments falling within subheadings 61.02 ex B I and ex B II of the Common Customs Tariff (category 81), originating in Hong Kong and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question originating in Hong Kong is covered by an Agreement negotiated between the Community and that country; whereas, under that Agreement, Hong Kong has undertaken to take all necessary steps to limit its exports of the products in question to the Community within certain ceilings;

Whereas, in order to implement that Agreement and take account of its characteristics, the Council adopted Regulation (EEC) No 3059/78 [2], introducing specific common rules for imports of certain textile products;

Whereas the differences in market conditions within the Community and the particular sensitivity of this branch of Community industry have been taken into account in allocating the abovementioned Community ceilings between the Member States;

Whereas, for this reason, disparities still exist between the conditions governing the importation of the products in question into the different Member States; whereas uniformity can only be brought about gradually;

Whereas, with regard to the situation of the industry concerned, the information received by the Commission indicates that total imports of the products in question originating in third countries have increased from nine tonnes in 1978 to 51 tonnes in 1979 and amounted to 60 tonnes for the first 10 months of 1980; whereas the market share taken by those imports has risen from 7 % in 1978 to 22 % in 1979;

Whereas the prices of the products in question originating in Hong Kong are considerably below the prices of like products manufactured in Ireland;

Whereas further indirect imports, in addition to those already admitted, would be likely to aggravate these difficulties and jeopardize the aims of the abovementioned commercial policy measures;

Whereas it is not possible to set in motion rapidly the machinery for bringing about the necessary cooperation from the other Member States;

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Decision 80/47/EEC, and in particular Article 3 thereof;

Whereas applications for import documents are duly pending with the authorities of the Member State having made the request,

HAS ADOPTED THIS DECISION:

Article 1

Ireland is authorized not to apply Community treatment to the products indicated below, originating in Hong Kong and in free circulation in the other Member States in respect of which applications for import licences were lodged after 19 January 1981. This authorization shall not cover products to a total

[1] OJ No L 16, 22. 1. 1980, p. 14.
[2] OJ No L 365, 27. 12. 1978, p. 1.

volume of three tonnes. This quantity shall be distributed among the applicants for import documents whose applications are duly pending at the date of this Decision.

CCT heading No	Description
61.02 ex B I and ex B II (NIMEXE codes 61.02-07, 22, 23, 24, 86, 88, 92) (category 81)	Women's, girls' and infants' woven bathrobes, dressing gowns, bed jackets and similar indoor wear and outer garments, except garments of categories 6, 7, 15A, 15B, 21, 26, 27, 29, 76, 79 and 80, of wool, of cotton or of man-made textile fibres

Article 2

This Decision shall apply until 31 July 1981.

Article 3

This Decision is addressed to Ireland.

Done at Brussels, 3 February 1981.

For the Commission

Wilhelm HAFERKAMP

Member of the Commission